

204



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,636	07/05/2001	Hirobumi Toyoshima	JP920000207-US1	5161

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Yorktown Heights, NY 10598

EXAMINER

LE, HIEU C

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/899,636

Applicant(s)

TOYOSHIMA ET AL.

Examiner

Hieu c. Le

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-23 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5 and 11-15 is/are rejected.
- 7) ☒ Claim(s) 4 and 6-10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 11-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "the general management consoles" in line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 5 are rejected under 35 U.S.C. 102(b) as anticipated by Ishii et al (Japanese Patent Publication 11-74883. US. Patent 6,662,222 is used as an official translation of Japanese Patent Publication 11-74883).

As to claim 1, Ishii discloses a network system for using device management server to manage devices connected to a computer network, comprising:

a plurality of general management consoles connected to the computer network
[Fig. 1 , shows I/O device 30 (display 200 and keyboard 204) (general management

Art Unit: 2142

console) is connected to computer network 10, each device 3-2 to 3-7 have the same I/O device (col. 2 , lines 58-64 & col. 7; lines 30-32)].

supervisor management console accessible by the device management server [Fig. 1 , shows I/O device 30 (display 200 and keyboard 204) used by and administrator (supervisor management console) is connected to the communication network 10];

a database, connected to the device management server, that includes enterprise data associated with each of the general management consoles and device data associated with the enterprise data for each of the devices [Fig. 1 , PC 22 is a computer that manages and provides service to managed devices 3-1 to 3-7 (i.e a device management server), two databases connected to the Pc (device management server), for each subordinate organization (enterprise, division/sections), that used the network, the names and identification of employees (users) who belong to this organization (enterprise) and use i/o devices 30 are stored in personal-organization database 26 (enterprise data associated with each one of the general management consoles) (col. 6, lines 3-12), database 24 stores the device ID number that is associated with the enterprise employee (Fig. 4, item 24) (device data associated with the enterprise data).

console manager for the intermediate transfer of data between at least one of the general management consoles and the supervisor management console and the database [Fig. 1, system management program 220 (console manager) transfer data between I/O device 20 (supervisor management console) and data bases 20,26]; and

means for referring the enterprise data and the device data to permit the general management consoles offer a service for at least one of a device and an associated group of devices (col. 8, line 61-col. 9, line 4).

As to claim 2, Ishii further discloses wherein profile data associated with the service is included in the database [Fig. 4; items 24 and 26] and wherein the console manager includes means for permitting the general management consoles to register, change, schedule delete service and to access the profile data [col. 9, lines 32-35, col. 13, lines 3-21].

As to claim 3, Ishii further discloses wherein job data associated with the profile data included in the database; and wherein network system further comprises means, when the devices are connected the device management server, for searching for data and for requesting services associated with the device data available at the devices (col. 8, line 44-col. 9, line 4).

As to claim 5, Ishii further discloses,

means permitting the supervisor management console access, register, change or delete at least one of device data associated with the devices, enterprise data, management data profile data and job data (col. 8, line 9-col. 10, lines 32-53).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ishii et al (Japanese Patent Publication 11-74883. US. Patent 6,662,222 is used as an official translation of Japanese Patent Publication 11-74883).

As to claim 24, Ishii further discloses a service provision method comprising the steps of:

permitting first console, belonging first enterprise, to provide a service for first device group connected to a network and permitting second console, belonging second enterprise, to provide service for second device group connected to a network [Fig. 1; shows i/o device 20 (first console) belong to an organization (enterprise) to provide service (manage) devices 3-1 to 3-7 (first group of device) connected to communication network 10] . The network system 1 comprise k management apparatus 2 and shown in Fig 1 for a case of k=1, i.e. the network system 1 has second console belonging to second enterprise to provide a service for a second device group connected to the network 10 in case of k=2 and so on (col. 5, lines 33-37)].

Ishii recites that the communication network 10 is an ISDN or LAN (col. 5, lines 38-39).

However, Ishii does not disclose the network is the Internet. The use of the Internet is obvious in view of the communication network of Ishii. One of ordinary skill in the art at the time the invention was made would be motivated to use the Internet as a communication network because the Internet is a network that connects vast number of networks world wide and is accessible by a huge number of users all over the world.

Art Unit: 2142

Claims 11-15 would be allowable if it overcome the 112,2nd paragraph.

Allowable Subject Matter

7. Claims 4, 6-10, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

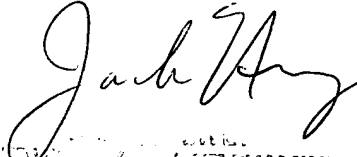
Claims 16-23 are allowed.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Le whose telephone number is (703) 306-3101. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey, can be reached on (571) 272-3896. The fax phone number for this Group is (571) 272-3896.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Hieu Le


JACK HARVEY
SUPERVISOR

Application/Control Number: 09/899,636

Page 7

Art Unit: 2142